

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

WILLIAM ROBINSON,)
Petitioner,)
v.)
WILLIAM MORROW, Warden,)
Respondent.)

No. 3:08-cv-235
Judge Haynes

Denial
This motion
is DENIED as
irrelevant.
W.M.M.
12/14/10

**RESPONDENT WILLIAM MORROW'S MOTION FOR STATUS UPDATE AS TO HIS
MOTION FOR PARTIAL RECONSIDERATION OF DISCOVERY ORDER**

Comes now Respondent William Morrow, through undersigned counsel, and moves for a status update as to this Court's consideration of his motion for partial reconsideration of discovery.

[D.E. No. 44.] As grounds therefore, respondent states:

The petitioner filed a second motion for discovery on August 16, 2010. [D.E. No. 38.] The motion seeks discovery aimed at supporting an actual innocence claim and *Brady* claim, which he pursues as part of his federal habeas petition challenging his state conviction of first degree murder. The petitioner's theory of this claim is that recent DNA testing showed the presence of Robinson's own blood on the tip of the knife he used to kill his fiancée and that the State committed a violation by failing to test this portion of the weapon or disclose the exact portions of the knife that were tested.¹

¹ Robinson argues, *inter alia*, that the presence of his own blood on the knife shows the lack of premeditation on his part.